

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

CIVIL ACTION NO.: 04-40113-FDS

ELIZABETH R. STEFFENBERG,)	(BBO#639293)
)	
Plaintiff,)	
)	
v.)	
)	
T. GENE GILMAN, STEVEN GILMAN,)	
THE GILMAN INSURANCE)	
AGENCY, INC., DAVID M. SCOLL,)	
ARBOR SECURITIES, LTD.,)	
ALLIANCE INVESTMENT)	
MANAGEMENT, COMMONWEALTH)	
FINANCIAL HOLDINGS INC.,)	
FINANCIAL LINKS, INC.,)	
T. GILMAN & CO., LTD.,)	
FIRST ALLIED SECURITIES, INC.,)	
PENSON FINANCIAL SERVICES, INC.,)	
AVIVA LIFE INSURANCE COMPANY,)	
TRADETEK, LTD., and)	
TRADETEK, LLC,)	
)	
Defendants.)	

JOINT MOTION TO EXTEND DISCOVERY DEADLINE

Plaintiff Elizabeth R. Steffenberg (“Ms. Steffenberg”) and Defendant David M. Scoll. (“Mr. Scoll”) hereby move this Court for an Order extending discovery in this matter up to and including August 15, 2005 and amending the remainder of the Scheduling Order.

As grounds for this Motion, the parties state that they have not completed discovery in this matter, and require additional time to do so. The additional time is made necessary by the rescheduling of a number of depositions, conflicting schedules of counsel, and the limited

availability of witnesses. Discovery has also been delayed due to the outstanding discovery motions that are before this Court. This requested extension will not unduly delay the final resolution of this matter.

Ms. Steffenberg and Mr. Scoll therefore request that the Scheduling Order be modified as follows:

Fact Discovery - Interim Deadlines

- a. All Requests for Production of Documents and Interrogatories must be served by.....August 18, 2005
- b. All Requests for Admission must be served by.....August 18, 2005
- c. All depositions, other than expert depositions, must be completed by.....September 15, 2005

Fact Discovery - Final Deadline. All discovery, other than expert discovery, must be completed by.....September 15, 2005

Status Conference.....To Be Determined

Expert Testimony

- a. Plaintiff's trial experts must be designated, and the information contemplated by Fed. R. Civ. P.26(a)(2) must be disclosed by.....November 14, 2005
- b. Plaintiff(s) trial experts must be deposed by.....January 13, 2006
- c. Defendant(s) trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2).....December 16, 2006
- d. Defendant(s) trial experts must be deposed by.....January 15, 2006

Dispositive Motions

- 1. Dispositive motions, such as motions for summary judgment or partial summary judgment and motions for judgment on the pleadings, must be filed by.....January 30, 2006

2. Oppositions to dispositive motions must be filed within 14 days after service of the motion.

Pretrial Conference. A pretrial conference will be held.....To Be Determined

WHEREFORE, for the foregoing reasons, Plaintiff Elizabeth R. Steffenberg and Defendant David M. Scoll request that this Court issue an Order to extend discovery up to and including August 15, 2005 and to amend the Scheduling Order in accordance with the proposed scheduled outlined above.

Respectfully submitted,

Plaintiff,
ELIZABETH R. STEFFENBERG
By her attorneys,

Defendant,
DAVID M. SCOLL
By his attorneys,

/s/ Christine S. Collins

Louis M. Ciavarra, Esquire (BBO #546481)
Christine S. Collins, Esquire (BBO#639293)
Bowditch & Dewey, LLP
311 Main Street, P.O. Box 15156
Worcester, MA 01615-0156
(508) 926-3441

/s/ George C. Rockas

George C. Rockas, Esquire (BBO #544009)
Sara Discepolo, Esquire (BBO #628721)
Wilson, Elser, Moskowitz, Edelman & Dicker
155 Federal Street
Boston, MA 02110
(617) 422-5300